

MAJOR WILLIAM S. HENRY—HEIRS-AT-LAW OF.

[To accompany Bill H. R. No. 837.]

JUNE 15, 1860.

Mr. MAYNARD, from the Committee of Claims, made the following

R E P O R T .

The Committee of Claims, to whom was referred the petition of Mrs. A. L. Henry, widow of Major William S. Henry, deceased, late of the United States army, have had the same under consideration, and beg leave to report:

That Major Henry was on duty, and proceeding under orders, with his proper command, to his post in New Mexico, in the month of May, 1849. While encamped on the banks of the Salado river, in the State of Texas, there came a sudden and unexpected rise of that river, so rapid and great as to sweep away the entire encampment, including all the public and private stores of the command; and it was with the greatest difficulty that the party escaped with their lives. Major Van Horne, in his official report of the affair, says:

“A sad and unexpected calamity has befallen us. Last night, about ten o’clock, when all except a few officers had retired to rest, my attention and that of the officer of the day was attracted to the sudden covering of the temporary wharves by the rise of the Salado. We called the attention of the officers to it, and I hastened to the bake-house, which is nearest the edge of the water. I met the bakers running for their lives, being waked by the water on their beds. They waded out, glad to escape in their night clothes, unable to save anything else. I returned to the camp, and endeavored, with the officer of the day, to arouse the officers—no one being willing to believe it possible that the camp was in danger. But, seeing the water rising rapidly, and being informed that the quartermaster’s property was being flooded, I spread the alarm, had the long roll beat, called the orderly sergeants together, informed them of their danger, and ordered all hands to be busy in trying to save whatever was most valuable first, and as much property as possible. In anticipation of the long roll, and this order, however, I personally called aloud to all the command to rise and save themselves and property, urging the officers and all to activity. The utmost efforts were exerted; but such

was the quickness and fury of the flood, and so surprisingly unexpected, that our rear was cut off, and the water was upon us like a whirlwind, and the utmost that could be done was to rescue the families and the sick, with such effects as each one in the haste could carry with him. Two teams that were hurriedly hitched up to carry off the ladies were overwhelmed before any use could be made of them, and three of the mules perished. With difficulty the horses were rescued. The wild mules were hastily cut loose, but in their terror would not be driven out of the enclosures until put afloat by the flood, when they swam, panting and shrieking, to the prairies."

Major Henry having been ordered to the frontier, where he expected several years' service, had with him in this encampment his entire family effects and supplies, all of which were swept away by the flood, and his family were compelled to return to the States. The encampment had been judiciously made in view of the fact that such a rise in the Salado had never before been known; and your committee deem it but just that the children of this valuable and gallant officer should be paid the small amount of so extraordinary a loss, against which no vigilance or sagacity could have guarded. Indeed, indemnity in such cases is the well-settled policy of the government, as a few of the many acts of Congress will show.

Act for the relief of the sufferers by the loss of the brig Somers, approved August 14, 1848.

Similar acts in cases of the Grampus, Sea Gull, Albany, and Porpoise.—(10 Stat. at Large, 799; 11 Stat. at Large, 29.)

Act for the relief of sufferers from the conflagration at Fort Delaware.—(6 Stat. at Large, 512.)

Act for the relief of sufferers on steamship San Francisco.—(10 Stat. at Large, 581.)

Many other cases could be cited, but your committee deem these sufficient to show what the policy—and, as they deem, the correct policy—of the government has been towards officers and others employed in hazardous public service, and suffering unavoidable losses from accidents by fire or flood.

Your committee, therefore, report the accompanying bill, and recommend its passage.